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From: James W. Wieder

Customer number: 30875

Sender's Phone: 410-461-9543 Fax: 410-461-9543

Please identify the correspondence below:

Amendment B: Preliminary Amendment before first office action for Application

10/605,879 (7 pages).

Patent Application Fee Determination Record (1 page).

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I certify that on the date below I will fax this communication and attachments if any, to the Central Patent Correspondence Fax of the Patent and Trademark Office at the following number: 703-872-9306.

Date: Dec 3, 2004Inventor's Signature: James W. WiederInventor's Printed Name: JAMES W. WIEDER

PTO/SB/06 (08-03)

Approved for use through 7/31/2008. OMB 0651-0032

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PATENT APPLICATION FEE DETERMINATION RECORD						Application or Docket Number 10/605,879	
Substitute for Form PTO-875							
CLAIMS AS FILED - PART I							
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
FOR	NUMBER FILED	NUMBER EXTRA		RATE	FEE	RATE	FEE
BASIC FEE (37 CFR 1.16(a))					\$ _____		\$ _____
TOTAL CLAIMS (37 CFR 1.16(c))	minus 20 = *			X \$ _____ =		X \$ _____ =	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	minus 3 = *			X \$ _____ =		X \$ _____ =	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(d))				+\$ _____ =		+\$ _____ =	
* If the difference in column 1 is less than zero, enter "0" in column 2.				TOTAL		TOTAL	
CLAIMS AS AMENDED - PART II							
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
Total (37 CFR 1.16(c))	*	Minus **	=	X \$ _____ =		X \$ _____ =	
Independent (37 CFR 1.16(b))	*	Minus ***	=	X \$ _____ =		X \$ _____ =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+\$ _____ =		+\$ _____ =	
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
Total (37 CFR 1.16(c))	* 20	Minus **	20 = 0	X \$ _____ =	0	X \$ _____ =	
Independent (37 CFR 1.16(b))	* 3	Minus ***	3 = 0	X \$ _____ =	0	X \$ _____ =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+\$ _____ =		+\$ _____ =	
				TOTAL ADD'L FEE	0	TOTAL ADD'L FEE	
(Column 1)		(Column 2)		SMALL ENTITY		OR OTHER THAN SMALL ENTITY	
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
Total (37 CFR 1.16(c))	*	Minus **	=	X \$ _____ =		X \$ _____ =	
Independent (37 CFR 1.16(b))	*	Minus ***	=	X \$ _____ =		X \$ _____ =	
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				+\$ _____ =		+\$ _____ =	
				TOTAL ADD'L FEE		TOTAL ADD'L FEE	

* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
 ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".
 *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".
 The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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In The United States Patent and Trademark Office**RECEIVED
CENTRAL FAX CENTER****DEC 03 2004**

Application Number: 10/605,879
Application Filed: Nov. 3, 2003
Applicant: James W. Wieder
Title: Adaptive Personalized Music & Entertainment
Examiner/GAU: Not yet docketed / 2611

Amendment B: Preliminary Amendment - Before First Office Action

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir,

Applicant respectfully requests that the above application be amended as follows:

Amendments to the Claims: Cancel all claims and substitute new claims 41 to 60
as shown on following pages.

Very respectfully,

James W. Wieder 12-3-2004

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James W. Wieder 410-461-9543 Appl. 10/605,879 B Prelim. Amend. before 1st Office Action 1 of 7